

**United States District Court
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: David Samuel Torres

Case Number: 05-10006

Name of Sentencing Judicial Officer: The Honorable Joseph L. Tauro

Date of Original Sentence: 7/13/06

Original Offense: Threats by Means of Threatening Communication

Original Sentence: Time Served followed by 2 Years of Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 7/13/06

PETITIONING THE COURT

[X] To modify the conditions of supervision as follows:

The defendant shall participate in an approved treatment program for drug and/or alcohol abuse and abide by all supplemental conditions of treatment. Participation may include inpatient/outpatient treatment. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.

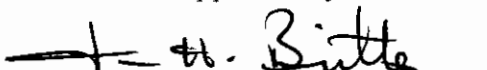
The defendant shall abstain from the use of alcoholic beverages during the duration of treatment.

CAUSE

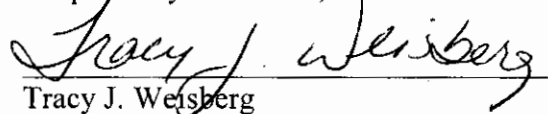
On 7/13/06 Mr. Torres was sentenced to time served followed by 2 years of supervised release. Mr. Torres commenced supervision in the Southern District of Florida. On 7/14/06 Mr. Torres reported to the U.S. Probation Office, Southern District of Florida. The Southern District of Florida did not have a copy of the Judgement and Commitment Order at this time and was not aware that drug testing was waived. Mr. Torres admitted that he smoked marijuana on the evening of 7/13/06. Mr. Torres submitted a urine test on 7/14/06 which resulted positive for marijuana. Mr. Torres stated that he did not think he would be tested, so he smoked marijuana.

Mr. Torres voluntarily signed the attached Waiver of Hearing to Modify Conditions of Supervision agreeing to the drug treatment modification.

Reviewed/Approved by:


Julius Britto
Supervising U.S. Probation Officer

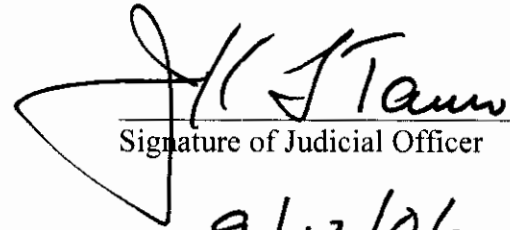
Respectfully submitted,

By 
Tracy J. Weisberg
U.S. Probation Officer Assistant
Date: September 6, 2006

**Request for Modifying the
Conditions or Terms of Supervision
with Consent of the Offender**

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

9/12/06

Date

PROB 49
(3/89)

SD/FL PACTS #83391

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

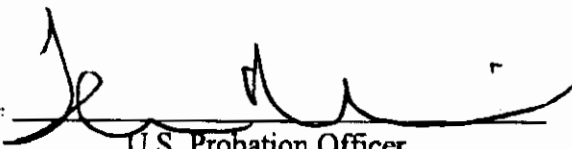
**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

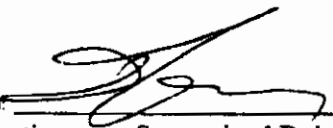
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in an approved treatment program for drug and/or alcohol abuse and abide by all supplemental conditions of treatment. Participation may include inpatient/outpatient treatment. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.

The defendant shall abstain from the use of alcoholic beverages during the duration of treatment.

Witness: 
U.S. Probation Officer
Teresa Nair

Signature: 
Probationer or Supervised Releasee
David Torres

September 1, 2006
Date